

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION AT MEMPHIS

FILED BY *[Signature]* D.C.

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THOMAS M. GOULD
CLERK, U.S. DISTRICT COURT
W/D OF TN, MEMPHIS

MARY BOYKIN, and)
GEORGE BOYKIN, Husband,)
)
Plaintiffs,)
)
v.) CIVIL ACTION NO. 05-2412 DV
)
WAL-MART A.K.A. WAL-MART)
SUPERCENTER, WAL-MART)
STORES, WAL-MART REAL)
ESTATE BUSINESS TRUST, and)
JANE and/or JOHN DOE(S),)
)
Defendants.)

**CONSENT ORDER PERMITTING PLAINTIFFS TO AMEND
COMPLAINT TO NAME WAL-MART STORES EAST, L.P. AS DEFENDANT AND
DISMISS WITHOUT PREJUDICE ALL REMAINING WAL-MART DEFENDANTS**

It appearing to the Court, as evidenced by the subjoined consent of legal counsel for both the Plaintiffs and the Defendants, that:

- (a) Wal-Mart a/k/a Wal-Mart Supercenter, Wal-Mart Stores, Wal-Mart Real Estate Business Trust and Jane and/or John Doe(s) are improperly named parties in this cause; and
- (b) The proper entity name for the Defendant is Wal-Mart Stores East, L.P.

THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED that the Plaintiffs be permitted to amend their Complaint to name Wal-Mart Stores East, L.P. as the proper Defendant in this matter.

This document entered on the docket sheet in compliance
with Rule 58 and/or 79(a) FRCP on *[Signature]*

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Wal-Mart a/k/a Wal-Mart Supercenter, Wal-Mart Stores, Wal-Mart Real Estate Business Trust and Jane and/or John Doe(s) are hereby dismissed without prejudice.

All of which is hereby so ordered this 22 day of August, 2005.



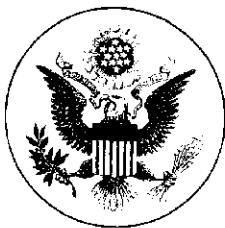
U.S. DISTRICT COURT JUDGE

APPROVED FOR ENTRY:

BAKER, DONELSON, BEARMAN
CALDWELL & BERKOWITZ, P.C.

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Notice of Distribution

This notice confirms a copy of the document docketed as number 8 in case 2:05-CV-02412 was distributed by fax, mail, or direct printing on August 25, 2005 to the parties listed.

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Honorable Bernice Donald
US DISTRICT COURT